

Denmark-Copenhagen: Evaluation consultancy services

OJ S 172/2018 07/09/2018

Contract notice**Services****Legal Basis:**

Directive 2014/24/EU

Section I: Contracting authority

I.1. Name and addresses

Official name: Ministry of Foreign Affairs, Danida Evaluation Department

Postal address: Asiatisk Plads 2

Town: København

NUTS code: DKZ Extra-Regio NUTS 1

Postal code: 1448

Country: Denmark

Contact person: Marianne Vestergaard

E-mail: eval@um.dk**Internet address(es):**Main address: <http://um.dk/en/danida-en/>**I.3. Communication**The procurement documents are available for unrestricted and full direct access, free of charge, at: <https://www.ethics.dk/ethics/eo#/45c2c93e-638a-4bcf-92fd-d9d46f08417f/publicMaterial>[/publicMaterial](https://www.ethics.dk/ethics/eo#/45c2c93e-638a-4bcf-92fd-d9d46f08417f/publicMaterial)

Additional information can be obtained from the abovementioned address

Tenders or requests to participate must be submitted electronically via: <https://www.ethics.dk/ethics/eo#/45c2c93e-638a-4bcf-92fd-d9d46f08417f/homepage>

Tenders or requests to participate must be submitted to the abovementioned address

Electronic communication requires the use of tools and devices that are not generally available. Unrestricted and full direct access to these tools and devices is possible, free of charge, at: <https://www.ethics.dk/ethics/eo#/45c2c93e-638a-4bcf-92fd-d9d46f08417f/homepage>[/homepage](https://www.ethics.dk/ethics/eo#/45c2c93e-638a-4bcf-92fd-d9d46f08417f/homepage)**I.4. Type of the contracting authority**

Ministry or any other national or federal authority, including their regional or local subdivisions

I.5. Main activity

Other activity: Development assistance

Section II: Object

II.1. Scope of the procurement**II.1.1. Title**

Joint Evaluation of the Integrated Solutions model in Kalobeyei, Kenya

Reference number: 2018-4509

II.1.2.

Main CPV code

79419000 Evaluation consultancy services

II.1.3. Type of contract

Services

II.1.4. Short description

Kenya is host to a large number of refugees from neighboring countries. In Turkana in the north-west part of Kenya, the government of Kenya and its international partners have developed an Integrated Social and Economic Development Programme, a multi-agency collaboration to develop the local economy and provide for refugees residing in Turkana. The programme constitutes a new model for providing protection, assistance and solutions to refugees while also benefitting host communities by promoting self-reliance and development for both refugees and host populations.

Denmark and UNHCR is jointly commissioning an evaluation to understand the dynamics and roles of development and humanitarian actors in improving the situation for refugees and host communities in and around Kalobeyei, Turkana. The overall objective of the evaluation is to learn collectively from new models of providing protection, assistance and solutions to refugees and host communities alike.

II.1.5. Estimated total value

Value excluding VAT: 1 700 000,00 DKK

II.1.6. Information about lots

This contract is divided into lots: no

II.2. Description**II.2.3. Place of performance**

NUTS code: DKZ Extra-Regio NUTS 1

Main site or place of performance: Kenya

II.2.4. Description of the procurement

The Ministry of Foreign Affairs of Denmark and the United Nations High Commissioner for Refugees (UNHCR) are undertaking a joint evaluation to collate lessons learned from the implementation of the refugee response in the context of the integrated solutions model in and around Kalobeyei in Turkana, Kenya.

Kenya is one of Sub-Saharan Africa's largest host countries for refugees, hosting more than 480 000 refugees, primarily from Somalia and South Sudan. Kenya is an important driver for economic growth in the region and has been one of the fastest growing economies in Africa for over a decade. However, Kenya is also marked by high regional inequalities, with Turkana in North-Western Kenya being one of the poorest areas of the country, and also the host to about a third of officially registered refugees in Kenya. The Kakuma refugee camp and the Kalobeyei settlement in Turkana host over 185 000 refugees and asylum-seekers.

In order to provide an integrated solution to refugee protection and assistance, also benefitting host communities in the region, the government of Kenya and its international partners developed the Kalobeyei Integrated Social and Economic Development Programme (KISED) in northern Kenya for the settlement of refugees. KISED is a 15 year plan and multi-agency collaboration to develop the local economy and service delivery at Kalobeyei and it is part of the County Integrated Development Plan. KISED has been developed with close involvement of UNHCR, UN-Habitat, the World Bank, as well as other stakeholders and aims at benefitting both the local community and refugees through enhancing socio-economic integration of

refugees into local society. This approach forms the basis of the KISED P and represents a major paradigm shift in the approach to refugee settlement in Kenya because it links humanitarian assistance with long-term development.

The evaluation, therefore, looks at the intended aims, purpose and vision explicit or implicit in the KISED P model, including intentions and underlying assumptions on how to succeed in providing protection and solutions to refugees while also benefitting host communities, and how the KISED P model envisaged that the aims for integrated protection and assistance to refugees and host communities should be obtained.

The evaluation includes the following areas of inquiry:

- The intended aims, purpose and vision of the KISED P model,
- The implementation of the model, including opportunities, barriers and challenges for its implementation and the implications for protection and assistance,
- The interplay between key stakeholders engaged in providing protection and assistance and solutions in and around Kalobeyei.

The evaluation will start in December 2018 and the final evaluation report will be submitted by June 2019.

II.2.5. Award criteria

Price is not the only award criterion and all criteria are stated only in the procurement documents

II.2.6. Estimated value

II.2.7. Duration of the contract, framework agreement or dynamic purchasing system

Duration in months: 7

This contract is subject to renewal: no

II.2.9. Information about the limits on the number of candidates to be invited

Maximum number: 5 Objective criteria for choosing the limited number of candidates:

Candidates will be selected on the basis of the information concerning technical and professional ability, cf. section III.1.3), in relation to the object of this contract, cf. sections II.1.4) and II.2.4).

In the selection, the contracting authority will specifically emphasise the extent to which the performed contracts concern topics of relevance for this evaluation:

- Humanitarian assistance and development cooperation in the Horn of Africa,
- Refugee responses,
- Humanitarian-development nexus related work.

II.2.10. Information about variants

Variants will be accepted: no

II.2.11. Information about options

Options: no

II.2.13. Information about European Union funds

The procurement is related to a project and/or programme financed by European Union funds: no

II.2.14. Additional information

The contracting authority has a maximum budget of 1 700 000 DKK net of VAT in relation to the procurement. Tenders will be rejected if they exceed the contracting authority's maximum budget.

III.1. Conditions for participation

III.1.1. Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers

List and brief description of conditions:

In Part III.A-C of the ESPD, economic operators must answer whether they are subject to exclusion grounds.

An economic operator is excluded from the procurement procedure if the economic operator itself or any person who is a member of its administrative, management or supervisory body or has powers of representation, decision or control therein has been convicted by final judgement or fined within the last 4 years for any of the exclusion grounds relating to the criminal convictions listed in section 135(1) of the Danish Public Procurement Act.

An economic operator is excluded from the procurement procedure if it has unpaid overdue debt of 100 000 DKK or more to public authorities in relation to payment of taxes and payment of social security, cf. section 135(3) of the Danish Public Procurement Act. An economic operator is, however, not excluded where the economic operator provides guarantee of payment of the part of the debt which constitutes 100 000 DKK or more, or where the economic operator has agreed on a repayment scheme with the collection authority and that scheme is observed, cf. section 135(4).

An economic operator is excluded from the procurement procedure if it is subject to any of the exclusion grounds listed in sections 136(1)(1) and 136(1)(2) of the Danish Public Procurement Act.

An economic operator is excluded from the procurement procedure if it within the last 2 years has been subject to any of the exclusion grounds listed in sections 136(1)(3) and 137(1)(2-3) of the Danish Public Procurement Act.

The contracting authority can accept the following documentation in relation to the exclusion grounds in sections 135(1), 135(3) and 137(1)(2) of the Danish Public Procurement Act (in order of priority):

1) Extracts from the relevant register or similar documents issued by a competent judicial or administrative authority or certificates issued by the competent authority in the country referred to as documentation that the tenderer is not subject to the grounds for exclusion stipulated in sections 135(1), 135(3) and 137(1)(2);

2) A declaration on oath (only if such extracts, certificates or similar documents are not issued in the country where the economic operator is established, or where the documentation does not cover all the grounds for exclusion stipulated in sections 135(1), 135(3) and 137(1)(2) entirely);

3) A solemn declaration made by the person concerned before a competent judicial or administrative authority, a notary or a competent professional or trade body, in the country of origin or in the country where the economic operator is established (only if there is no provision for declarations on oath in the country where the economic operator is established). Thus, the contracting authority cannot accept e.g. a solemn declaration made before a notary if there can be issued a certificate by the competent authority in the country where the economic operator is established. Moreover, the contracting authority cannot accept self-declarations or similar declarations issued by the economic operator or the person concerned as documentation in relation to the exclusion grounds.

Economic operators can identify the relevant documentation using the online platform e-Certis:

<https://ec.europa.eu/growth/tools-databases/ecertis/>

III.1.2. Economic and financial standing

List and brief description of selection criteria:

In Part IV.B of the ESPD, the economic operator must fill in its average yearly turnover for the last 2 financial years available (where the economic operator can present annual reports).

If the economic operator consists of a group of economic operators (e.g. a consortia or joint venture) or if the economic operator relies on the capacity of other entities, each involved economic operator or entity must submit a completed ESPD.

When an economic operator is participating in the procurement procedure together with others (e.g. a consortia or joint venture) or if the economic operator relies on the economic and financial standing of other entities, the participating economic operators or the entities referred to are subject to joint and severable liability for the performance of the contract.

The contracting authority can accept annual reports or excerpts hereof or relevant statements from a bank or certified accountant as documentation in relation to the economic and financial standing.

When an economic operator is participating in the procurement procedure together with others or when an economic operator relies on the economic and financial standing of other entities, the economic operator must also provide statements of support or other documentation proving that the economic operator has access to the necessary economic and financial standing. The statements of support must establish a legal obligation for the party concerned and state that the involved economic operators or entities are subject to joint and severable liability for the performance of the contract.

Economic operators are encouraged to submit all necessary documentation as early as possible.

Minimum level(s) of standards possibly required:

The economic operator is required to have an average yearly turnover of minimum 3 400 000 DKK for the last 2 financial years available.

When the economic operator is participating in the procurement procedure together with others (e.g. a consortia or joint venture) or if the economic operator relies on the capacity of other entities, it is required that the participating economic operators or the economic operator and the entities referred to altogether meet the selection criteria.

III.1.3. Technical and professional ability

List and brief description of selection criteria:

In Part IV.C of the ESPD, the economic operator must fill in a list of maximum 5 contracts entered into, ongoing or finalized within the last 3 years stating a description of the contract (nature and quantity of services from the economic operator and how they compare to the description of this procurement), amount (contract fee received by the economic operator), start date, end date and recipient (name and contact information).

If an economic operator has listed more than 5 contracts, the contracting authority will only read and assess the 5 most recent contracts listed (based on start date).

If the economic operator consists of a group of economic operators (e.g. a consortia or joint venture) or if the economic operator relies on the capacity of other entities, each involved economic operator or entity must submit a completed ESPD.

When an economic operator is participating in the procurement procedure together with others (e.g. a consortia or joint venture) or if the economic operator relies on the technical and professional abilities of other entities, the specific parts of the contract must be performed by the economic operators or entities with the required technical and professional abilities.

The contracting authority reserves the right to contact the recipients of services or require statements from the recipients, confirming that the economic operator has performed the listed contracts, as documentation in relation to the technical and professional ability.

When an economic operator is formed by a group of economic operators or relies on the technical and professional abilities of other entities, the economic operator must also provide statements of support or other documentation proving that the economic operator has access to the necessary technical and professional abilities. The statements of support must establish a legal obligation for the party concerned and state the parts of the contract to be performed by the party concerned.

Economic operators are encouraged to submit all necessary documentation as early as possible.

Minimum level(s) of standards possibly required:

The economic operator is required to have performed (entered into, ongoing or finalized) minimum 2 relevant contracts (as defined below) within the last 3 years.

As a relevant contract is considered:

Independent evaluations of humanitarian assistance following the OECD/DAC evaluation quality criteria with a value attributable to the economic operator of more than 500 000 DKK.

An "independent evaluation" is an evaluation carried out for an evaluation unit of a development organization. References related to reviews and monitoring work will not be considered relevant references. Neither will short-listing under a framework contract be considered a reference in itself.

When the economic operator is participating in the procurement procedure together with others (e.g. a consortia or joint venture) or if the economic operator relies on the capacity of other entities, it is required that the participating economic operators or the economic operator and the entities referred to altogether meet the selection criteria.

III.2. Conditions related to the contract

III.2.2. Contract performance conditions

Prior to the signing of the contract, the economic operator must present statements of availability from all non-permanent staff (e.g. project specific consultants or freelance consultants). When an economic operator is participating in the procurement procedure together with others, the economic operator must present a joint statement from all the participating economic operators which identifies the member of the group who can act as an agent on behalf of the group with mandate to establish a legal obligation on behalf of the group in relation to the contracting authority. The winning tenderer is to perform the contract in compliance with the Danida Anti-Corruption Policy and the principles of the UN Global Compact.

Economic operators can find more information on: <http://um.dk/en/danida-en/about-danida/Danida-transparency/anti-corruption/>
<https://www.unglobalcompact.org/what-is-gc/mission/principles>

Section IV: Procedure

IV.1. Description

IV.1.1. Type of procedure

Restricted procedure

IV.1.3. Information about a framework agreement or a dynamic purchasing system

IV.1.8. Information about the Government Procurement Agreement (GPA)

The procurement is covered by the Government Procurement Agreement: yes

IV.2. Administrative information

IV.2.2. Time limit for receipt of tenders or requests to participate

Date: 05/10/2018 Local time: 14:00

IV.2.3. Estimated date of dispatch of invitations to tender or to participate to selected candidates

IV.2.4. Languages in which tenders or requests to participate may be submitted

English

IV.2.6. Minimum time frame during which the tenderer must maintain the tender

Duration in months: 6 (from the date stated for receipt of tender)

Section VI: Complementary information

VI.1. Information about recurrence

This is a recurrent procurement: no

VI.2. Information about electronic workflows

Electronic invoicing will be accepted

Electronic payment will be used

VI.3. Additional information

The tender procedure is governed by Danish law and the rules applicable hereunder.

An English translation of the Danish Public Procurement Act is available on: <https://www.kfst.dk/media/46419/the-public-procurement-act.pdf>

Access to the procurement procedure requires online registration.

Guidance (in Danish and English) on the use of the tendering system can be found at:

<https://www.udbudssystemet.dk/public/instructions/ETHICS.EO.vejledning.pdf>

Local time in section IV is according to Central European Time (CET) in Denmark.

Economic operators may only submit one application or tender.

Economic operators must submit a European Single Procurement Document (ESPD) as preliminary evidence that the economic operator is not subject to exclusion grounds and that the economic operator fulfils the minimum requirements for economic and financial standing and technical and professional ability.

When the economic operator is participating together with others or if the economic operator relies on the capacity of other entities, each participating economic operator must provide a separate ESPD.

Before the time limit for receipt of tenders, the candidates, which the contracting authority has invited to tender, must present documentation of the information provided in the ESPD.

This contract has not been divided into lots, cf. section II.1.6), due to market and economic considerations.

Economic operators will not receive remuneration for their participation in the procedure.

The DAC evaluation principles of independence of the Evaluation Team will be applied.

Candidates may be excluded from participation, if their participation may question the independence and impartiality of the evaluation. Tenderers are obliged to carefully consider issues of eligibility for individual consultants and inform the Client of any potential issues relating to a possible conflict of interest (cf. Danida Evaluation Guidelines).

In assessing independence and impartiality of the Tenderer, both the experience of the tendering consulting company (in the pre-qualification stage) and of the individual consultants are important. Assessments will be made on a case-by-case basis.

Tenderers are obliged to carefully consider issues of eligibility for individual consultants and inform the Client of any potential issues relating to a possible conflict of interest.

VI.4. Procedures for review

VI.4.1. Review body

Official name: Klagenævnet for Udbud

Postal address: Toldboden 2

Town: Viborg

Postal code: 8800

Country: Denmark

E-mail: nh@naevneneshus.dk

Telephone: +45 72405600

Internet address: <https://erhvervsstyrelsen.dk/klagenaevnet-for-udbud>

VI.4.3. Review procedure

Precise information on deadline(s) for review procedures:

Actions regarding requests to participate and selection must be submitted within 20 calendar days from the day after the contracting authority has notified the economic operators of the decisions regarding selection.

Other actions regarding the procedure (e.g. decisions regarding award of contract) must be submitted within:

— 45 calendar days from the day after the publication of a contract award notice in the Official Journal of the EU,

— 30 calendar days from the day after the contracting authority has notified the economic operators that a contract based on a framework agreement with reopening of competition has been entered into, or

— 6 months from the day after the contracting authority has notified the economic operators of the decisions regarding award of a framework agreement.

The complainant must at the same time notify the contracting authority that an action has been submitted to the Danish Complaints Board for Public Procurement.

VI.4.4. Service from which information about the review procedure may be obtained

Official name: Konkurrence- og Forbrugerstyrelsen

Postal address: Carl Jacobsens Vej 35

Town: Valby

Postal code: 2500

Country: Denmark

E-mail: kfst@kfst.dk

Telephone: +45 41715000

Internet address: www.kfst.dk

VI.5. Date of dispatch of this notice

04/09/2018